IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 34543 of 2006(K)

PETITIONER:

K.RAMADASAN, S/O.VASU.K.
RAMANILAYAM P.O. PUTHUKODE,
RAMANATTUKARA.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:

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1. DISTRICT COLLECTOR, KOZHIKODE.

2. SUB INSPECTOR OF POLICE, FAROKE.

BY GOVT.PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 34543 OF 2006-K

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Dated this the 2nd day of March, 2007.

JUDGMENT

The learned Government Pleader submits, on instructions, that the wheat was seized from the petitioner after preparing a mahazar in accordance with law. Under such circumstances, if the petitioner seeks any relief for release of the vehicle or the articles, it is for him to move the first respondent. It is within the statutory authority to decide any question whether the articles seized were ration articles.

2. In the above circumstances, the petitioner may move the District Collector or the other authorities under the Essential Commodities Act and the Kerala Rationing Order for any relief which he may require as regards the wheat that was seized from him. The District Collector will

also consider releasing the vehicle on proper application and furnishing bank guarantee to the satisfaction of the District Collector. On proper application, the petitioner will also be issued a copy of the mahazar.

The writ petition is disposed of in the above terms.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-